

**MINUTES OF THE  
PUBLIC UTILITIES AND TECHNOLOGY INTERIM COMMITTEE**

Wednesday, October 21, 2015 – 8:30 a.m. – Room 450 State Capitol

**Members Present:**

Sen. David P. Hinkins, Senate Chair  
Rep. Ken Ivory, House Chair  
Sen. Gene Davis  
Sen. Peter C. Knudson  
Sen. Kevin T. Van Tassell  
Rep. Scott H. Chew  
Rep. Kay J. Christofferson  
Rep. Brad L. Dee  
Rep. Rebecca P. Edwards  
Rep. Keith Grover  
Rep. Stephen G. Handy

Rep. Mike K. McKell  
Rep. Angela Romero  
Rep. Scott D. Sandall

**Members Absent:**

Rep. Justin J. Miller  
Rep. Keven J. Stratton

**Staff Present:**

Mr. Richard C. North, Policy Analyst  
Mr. Samuel C. Johnston, Associate General Counsel  
Ms. Tracey Fredman, Legislative Assistant

**Note:** A list of others present, a copy of related materials, and an audio recording of the meeting can be found at [www.leg.utah.gov](http://www.leg.utah.gov).

**1. Committee Business**

Chair Hinkins called the meeting to order at 8:35 a.m. Rep. Stratton was excused from the meeting.

**MOTION:** Sen. Van Tassell moved to approve the minutes of the August 19, 2015, meeting. The motion passed unanimously. Sen. Davis, Rep. Edwards, Rep. Grover, and Rep. Romero were absent for the vote.

**2. Environmental Protection Agency Rule 111 (d) Update**

Dr. Laura Nelson, Executive Director, Utah Office of Energy Development, reported that the final rule was released August 3, 2015. She highlighted the requirements of the final rule and explained the difference between a rate-based and a mass-based approach to compliance. Dr. Nelson noted that final state plans are due in September 2018, and compliance is required between 2022-2030.

Mr. Rob Simmons, Legal Affairs Manager, Utah Governor's Office of Energy Development, commented on the legal process of challenges, which has not yet taken place.

Mr. Bryce Bird, Director, Department of Environmental Quality, briefed committee members on the involvement of stakeholders and lawmakers in the discussion and planning process. He noted that keeping affordable rates is an important factor in maintaining economic development in the state.

Chair Hinkins requested that Mr. Bird report to the Public Utilities and Technology Interim Committee in May 2016 prior to making the plan available to the general public.

Rep. Ivory asked Mr. Bird to consider how the committee could be involved in the process as more than a mere comment and review entity.

**3. Single Sign On Business Database: Draft Legislation**

Committee staff distributed draft legislation "Single Sign-On Business Database" (2016FL-0260/005).

Rep. Bruce R. Cutler discussed the concept of a single sign-on business database that would make it easier to do business in the state because private-public information would be stored in one secure database rather than in multiple databases.

Mr. Mark Van Orden, Chief Information Officer, Department of Technology Services, spoke in support of the draft legislation, which provides for the creation of a task force to study the issue and report back to the Public Utilities and Technology Interim Committee before November 30, 2016.

Chair Hinkins asked Rep. Cutler to bring the draft legislation to the committee's November 18, 2015, meeting for consideration as a committee bill.

#### **4. Power Purchase Agreements and Vivint Solar Discussion**

Rep. Francis D. Gibson distributed 2015 General Session H.B. 457, "Independent Energy Producer Amendments," which was introduced during the legislative session. He indicated that he would bring draft legislation to the November 18, 2015, meeting for the committee's review and support on the issue of power purchase agreements.

Mr. Dan Black, Associate General Counsel, Vivint Solar, distributed and discussed "Power Purchase Agreement Legislation, H.B. 457." Mr. Black indicated that the advantages of allowing any public or private consumer to purchase power under a power purchase agreement include the creation of new jobs and the promotion of energy independence throughout the state. Mr. Black responded to committee members' questions.

#### **5. Utah Communication Agency: Request for Proposal Report (RFP)**

Mr. Steve Proctor, Executive Director, Utah Communication Agency, distributed "Draft: UCA Statewide Interoperable P25 Radio Communications System Request for Proposals" and "Draft: UCA Statewide IP Network to Support a P25 Radio System Request for Proposals."

Rep. Dee briefed committee members on the progress of updating the state's public safety radio system, and explained that the first request for proposals for P25 radio communications systems is for those who are willing to bid and provide radios and customer support to fire and police departments and others on the state network. He explained that the second proposal for a statewide Internet Protocol Network is for the connectivity of the radio system. Rep. Dee encouraged questions and input from committee members on the project.

Mr. Michael Thayer, President, DELTAWRX Management Consultants, distributed and presented "UCA Public Safety Radio System Replacement Update." Mr. Thayer discussed Utah's current P25 land mobile radio network, highlighting the need to update hand-held radios across the state, and the Internet Protocol Network, which provides connectivity between radio sites.

Committee discussion followed, during which Mr. Proctor and Mr. Thayer responded to questions about the two draft requests for proposals and the FirstNet LTE Data Network.

Mr. Thayer presented to the committee a timeline for the request for proposals process. Chair Hinkins asked if the Utah Communication Agency Board meeting scheduled for November 17, 2015, could be postponed so that the Public Utilities and Technology Interim Committee would be able to hear public comment at its November 18, 2015, meeting prior to issuance of the request for proposals. Mr. Proctor indicated that they would advise the board of the committee's request.

Ms. Kira Slawson, Legal Counsel, Utah Rural Telecom Association, commented on the viability of finding a single vendor to provide for connectivity of the entire network. She also spoke in favor of using the most advanced technology possible.

Mr. Ryan Peterson, representing Harris Communications, stated that the timeline and process for the request for proposals seems rushed for such an important project.

**6. Renewable Energy Discussion**

This item was not discussed.

**7. Other Items / Adjourn**

**MOTION:** Rep. Christofferson moved to adjourn the meeting. The motion passed unanimously. Sen. Davis, Sen. Van Tassell, Rep. Dee, Rep. Grover, and Rep. McKell were absent for the vote.

Chair Ivory adjourned the meeting at 11:25 a.m.